

REMARKS

Claims 1-19 are presently pending in the application claims 1 and 16 are in independent form. Claims 5-8 and 12 were indicated as allowable if amended to include the limitations of the base claim and any intervening claims.

Claims 1-4, 9-11 and 16-19 were rejected under §103 over DeParavicini in view of Simadiris. The Examiner fails to reference a condenser, as required in claims 1 and 16. Applicant kindly requests the Examiner to revise the rejection to include reference to a condenser.

The rejection is improper for lack of motivation. The rejection uses DeParavicini as the base reference, which lacks the galley cart in the claimed arrangement. As such, the Examiner must provide motivation to modify the base reference to include the galley cart, as claimed. The Examiner has not done so. The Examiner merely states that galley carts would be provided in DeParavicini for the purpose of providing cooling to galley carts. By the Examiner's logic it is apparent that the Examiner is picking and choosing elements to make the rejection—the Examiner's motivation to provide a missing limitation is so that you can arrange it as claimed?

Rather, the Examiner must look at the teachings of the references to provide a motivation. DeParavicini does not even disclose a galley cart. DeParavicini is directed to a specific type of system for cooling a cabin and pressure suits, for example, in "very high supersonic speed[...]and high altitude[]" aircraft—presumably military aircraft (column 1, lines 15-18). The specified system expels turbine exhaust at a velocity that is at or higher than the supersonic speeds of the aircraft (column 2, lines 28-31). It would appear that such an arrangement would not be one to which galley carts are added. In any event, the Examiner must establish that one of ordinary skill would be motivated to modify the base reference to provide a galley cart. Beyond

merely offering speculation, the Examiner cannot provide a teaching in either of the references to overcome the above teachings in DeParavicini, that is, that one of ordinary skill would modify DeParavicini to include a galley cart. All of the claims are allowable for at least this reason.

Regarding claim 3, neither reference discloses a cabin recirculation air duct, as claimed.

Regarding claim 4, the Examiner has not established the presence of or motivation for providing the recirculation evaporator control valve, as claimed.

Regarding claim 9, the Examiner has not established the presence of or motivation for providing the condensers, as claimed. Stating it is an obvious duplication of parts does not meet the Examiner's burden of establishing a prima facie case. Moreover, how can duplicating parts and adding weight to an aircraft be obvious without a specific motivation to do so? One of ordinary skill certainly does not duplicate parts without good reason. DeParavicini already states that the aircraft must be lightened at the end of column 1. The Examiner's position is unsupportable.

Regarding claim 10, the Examiner has not established the presence of or motivation for providing the exhaust air vent and heat exchanger, as claimed.

Regarding claim 11, the Examiner has not established the presence of or motivation for providing the fan and aircraft outflow valve, as claimed.

Regarding claim 19, the Examiner has not established that the condenser, evaporator, and a portion of the ducting is in the overhead area of the aircraft.

Claims 13-15 were rejected under §103 over DeParavicini in view of Simadiris in further view of Gould. Again, the Examiner engages in the same flawed logic as above. The Examiner states that the claimed cooling loop for the condenser is missing and that it would be obvious to provide the loop to cool the condenser. This type of circular reasoning cannot sustain a rejection.

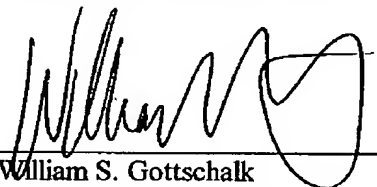
Further, Gould does not even have a galley or many of the claimed aircraft components. For example, how does Gould relate to the aircraft electronics system of claim 13, or the cargo area of claim 14? The Examiner has not set forth what motivation is gleaned by one of ordinary skill from the home cooling system in Gould.

The location of the heat exchanger being "design choice" also cannot support a rejection. The Examiner must provide a motivation based upon the teachings of the references. The Examiner has not done so. In order to establish a prima facie case of obviousness, the Examiner must provide a reason as to why one of ordinary skill would modify the base references. The Examiner cannot sidestep his burden.

It is believed that this application is in condition for allowance. If any fees or extensions of time are required, please charge to Deposit Account No. 50-1482.

Respectfully submitted,

CARLSON, GASKEY & OLDS



William S. Gottschalk
Registration No. 44,130
400 W. Maple, Suite 350
Birmingham, MI 48009
(248) 988-8360

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